

MS #172026.01 (5211)

REMARKS

Applicants have thoroughly considered the final Office action mailed on July 11, 2005. Claims 1-7, 9-16 and 18-22 are presented in the application for further examination. Claims 8 and 17 have been canceled by this Amendment B. Claims 19-22 have been added by this Amendment B. Claims 1 and 10 have been amended by this Amendment B. Reconsideration of the application claims as amended and in view of the following remarks is respectfully requested.

Reconsideration of the rejection of claims 1-18 under 35 U.S.C. § 103(a) as being unpatentable over Shaffer et al. (U.S. Patent No. 6,775,247) and Sandvoss et al. (U.S. Patent No. 5,745,380) is respectfully requested. First, with respect to claims 1 and 10, Applicants respectfully disagree with the Examiner that Shaffer et al. teaches that the conference server updates the activity states variable for each participant according to participation events. Second, with respect to claims 1 and 10, Applicants respectfully disagree with the Examiner that Sandvoss et al. teaches the weight of a participant is calculated from the activity state variables. Third, with respect to claims 8 and 17, Applicants respectfully disagree with the Examiner that Shaffer et al. teaches a participant state table with activity state variables and also suggests that such teaching is inherent.

First, claim 1 includes the feature that the conference server updates the activity state variable for each participant according to participation events. The participant state table contains the activity state variables relating to each participant, not just the weight assigned to each participant. [page 14, lines 16-22] The activity state variable, not the weight, is updated when a participant event occurs. [page 13, lines 20-23]

Shaffer et al. discloses that the dominant participant is selected by monitoring changes in audio streams received from the participants. [Shaffer et al., column 7, lines 27-31] In the final Office action, the Examiner's reference to column 7, lines 27-31 of Shaffer et al. is not helpful with respect to this feature of the present invention. The present invention updates activity state variables in the participant state tables while Shaffer et al. discloses a system that monitors changes in audio streams received from conference participants. As such, the Shaffer et al. disclosure does not teach or suggest this feature of claim 1 and cannot render claim 1 obvious.

MS #172026.01 (5211)

Second, claim 1 includes the requirement that the weight of a participant is calculated from the activity state variables. These activity state variables are related to a participant and are part of the participant state table. [page 14, lines 8-9 and 24-27] The weight calculation of the present invention is a process that is independent of the participant event process which updates the activity state variables. [page 16, lines 2-3]

Sandvoss et al. discloses a single process where substream signals are input and a weight is calculated from "the attributes of one kind of those signals". [Sandvoss et al., column 3, lines 53-57] In the final Office action, the Examiner's reference to column 3, lines 53-57, column 5, lines 35-45 and column 5, lines 47-50 of Sandvoss et al. does not address this aspect as recited by the claims. Sandvoss et al. teaches that the weight should be calculated from substream signals that are input to a process while the present invention calculates the weight from the activity state variables in the participant table. As such, the Sandvoss et al. disclosure does not teach or suggest these elements of claim 1 and cannot render claim 1 obvious.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 1. Claims 2-9, which depend directly or indirectly from claim 1, are submitted as patentable for the same reason as set for the above with respect to claim 1.

Claim 10 is directed to a system which includes a bridge server updating the activity state variable stored in to memory for each participant in the participant state table and computing a computing a weight of said each participant based on the conferencing activity states of said each participant.

As discussed above with respect to claim 1, Shaffer et al. does not disclose updating the activity state variable stored in to memory for each participant in the participant state table. Additionally, as discussed above with respect to claim 1, Sandvoss et al. does not disclose that the weight should be calculated from the activity state variables in the participant state table. As such, the Shaffer et al. and Sandvoss et al. disclosures do not teach or suggest these elements of claim 10 and cannot render claim 10 obvious.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 10. Claims 11-18, which depend directly or

MS #172026.01 (5211)

indirectly from claim 10, are submitted as patentable for the same reason as set for the above with respect to claim 10.

Claims 8 and 17 have been canceled, but the subject matter has been incorporated into claims 1 and 10 respectively. Claims 1 and 10 requires that the present invention include "a participant state table indicating an activity state variable for each participant". In the final Office action, the Examiner's refers to column 7, lines 29-31 of Shaffer et al. as teaching a participant state table with activity state variables and also suggesting that such is inherent. Applicants disagree. The citation does not mention a participant state table or activity state variables and Applicants submit that such a state table and state variables are not inherent in the context of the recited claims. Applicants request that the Examiner cite a reference or indicate that claims 1 and 10, which have been amended to relate to participant state table and the activity state variables, are patentable.

MS #172026.01 (5211)

CONCLUSION

It is felt that a full and complete response has been made to the Office action and, as such, places the application in condition for allowance. Such allowance is hereby respectfully requested. Although the prior art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited invention.

If the Examiner deems the claims to not be in condition for allowance, the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the claims in condition for allowance.

Respectfully submitted,



Frank R. Agovino, Reg. No. 27,416
SENNIGER POWERS
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

FRA/cwa